

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

JOSHUA GARTON,

Plaintiff,

v.

W. RAY CROUCH, et al.,

Defendants.

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**Case No. 3:21-cv-00338
Judge Aleta A. Trauger**

DEFENDANTS' MOTION TO STRIKE

Defendants Bradley Nealon, Russell Winkler, Joshua Melton, Joseph Craig, and Andrew Vallee,¹ pursuant to Rule 12(f) of the Federal Rules of Civil Procedure, move to strike Exhibits 1 (DE 1-1) and 2 (DE 1-2) from Plaintiff's Complaint (DE 1), as such material is redundant, immaterial, and/or impertinent to the instant cause of action and nothing contained therein qualifies as a "written instrument" under Fed. R. Civ. P. 10(c). In support of this motion, Defendants rely on their memorandum of law filed contemporaneously herewith.

¹ At the time of filing, Defendant David Rausch has not been served. Plaintiff attempted to serve Defendant Rausch by mailing a copy of the summons and complaint via certified mail; however, the mailing was returned to the sender, Mr. Horwitz, by the United States Postal Office. (See DE 19, 19-1, 19-2, and 19-3).

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies on June 18, 2021, a true and accurate copy of the foregoing was filed electronically and sent by way of the Court's electronic filing system to:

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